REMARKS

Reconsideration and withdrawal of the rejections set forth in the above-mentioned Office Action in view of the foregoing amendments and the following remarks are respectfully requested.

Claims 1, 2 and 4-28 are pending in this application, with Claims 1, 7, 11, 15, 17 and 24 being independent. Claims 17-28 were previously withdrawn. Claim 3 has been cancelled without prejudice. Claims 1, 4-7, 11, 15 and 16 are amended herein. Applicants submit that no new matter has been added.

Claims 1, 2, 4-6, 15 and 16 were rejected under 35 U.S.C. § 102(b) as allegedly anticipated by U.S. Patent Application Publication No. 2001/0016249 (Kitamura et al.). This rejection is respectfully traversed.

Regarding independent Claim 1, without conceding the propriety of the rejection, Applicants have amended Claim 1 to recite the features of Claim 3. Claim 3 was not included in the rejection under § 102. Accordingly, Applicants submit that the rejection under § 102 is moot with respect to independent Claim 1 and Claims 2 and 4-6, which depend from Claim 1.

Independent Claim 15 is directed to a laminated sheet member for a recording medium for ink and for forming an ink receiving layer containing at least a pigment for holding a coloring agent of an ink and a binder for the pigment. The laminated sheet member includes a substrate and an undercoat layer provided on the substrate. The laminated sheet member has an increasing region, in which a reactive substance capable of reacting with the coloring agent and holding the coloring agent is present in such a distribution as to increase in the direction of depth, as viewed from a surface on which the ink receiving layer is to be formed.

Kitamura et al. is directed to a an ink jet recording material that includes at least one ink receiving inside layer formed on a substrate and an ink receiving outermost layer laminated on the outer surface of the ink receiving inside layer. The substrate may be a paper sheet which may be coated with a cationic resin. From this disclosure, the Examiner, in the Office Action mailed October 6, 2004, suggested that coating the substrate with a cationic resin should inherently cause a gradient of a reactive substance capable of reacting with the coloring agent because most ink jet ink dyes are anionic and because Applicants disclose achieving the gradient of reactive substance by coating the substance with cationic material prior to coating with the undercoating. Applicants submit, however, that any gradient produced by coating the substrate with a cationic resin would not teach or suggest Applicants' invention as recited in Claim 15.

Applicants submit that coating a paper sheet with a cationic resin, as suggested by the Examiner, would result in a member for an inkjet recording material for forming an ink receiving layer (or a plurality of ink receiving layers) containing a pigment and a binder, wherein the member has a decreasing region, in which a reactive substance capable of reacting with a coloring agent of an ink and holding the coloring agent is present in such a distribution as to decrease in the direction depth, as viewed from a surface on which the ink receiving layer(s) is/are to be formed. Thus, the distribution of the reactive substance is opposite to that of the laminated sheet member recited in Claim 15.

Applicants submit, therefore, that Kitamura et al. fails to teach or suggest important features of the present invention. Reconsideration and withdrawal of the rejection under § 102 are requested.

Claims 1-16 were rejected under the judicially created doctrine of obviousness-type double patenting as unpatentable over claims 1-26 of Application No. 10/664,872, in view of Kitamura et al. Since the cited claims are not yet patented, Applicants respectfully request that this rejection be held in abeyance, and be reconsidered in view of Applicants' amendments and remarks, above, regarding Kitamura et al.

Applicants submit that the present invention is patentably defined by independent Claims 1, 7, 11 and 15. Dependent Claims 2, 4-6, 8-10 and 12-14 are also patentable, in their own right, for defining features of the present invention in addition to those recited in their respective independent claims. Individual consideration of the dependent claims is requested.

Applicants also respectfully request that this Amendment After Final be entered. This Amendment was not presented earlier as it was earnestly believed that the claims on file would be found allowable. Given the Examiner's familiarity with the application, Applicants believe that a full understanding and consideration of this Amendment would not require undue time or effort by the Examiner. Moreover, Applicants submit that this Amendment places the application in condition for allowance. Accordingly, entry of this Amendment is believed to be appropriate and such entry is respectfully requested.

Applicants submit that the application is in condition for allowance. Favorable reconsideration and withdrawal of the rejections set forth in the above-noted Office Action, rejoinder of withdrawn Claims 17-28, and an early Notice of Allowance are requested.

Applicants' undersigned attorney may be reached in our Washington, D.C. office by telephone at (202) 530-1010. All correspondence should continue to be directed to our below-listed address.

Respectfully submitted,

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